

Message Text

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PAGE 01 BUCAR 05136 211300Z
ACTION SCS-06

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R 211134Z JUL 78
FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC 0723

UNCLAS BUCHAREST 5136

E.O. 11652: N/A
TAGS: CASC, CPRS, RO (KATZ, AVRAM)
SUBJECT: DIRECT REPLY TO CONGRESSIONAL CORRESPONDENCE

H PASS (INFO EUR/EE): HONORABLE BILL FRENZEL
180 FEDERAL BUILDING
MINNEAPOLIS, MINNESOTA 55401

1. THIS IS IN RESPONSE TO YOUR LETTER OF JUNE 22 CONCERNING MR. AVRAM KATZ'S DESIRE TO BE REIMBURSED FOR PAYMENTS MADE BY HIM TO THE ROMANIAN AUTHORITIES IN CONNECTION WITH PROCEDURES AND ACTIONS TAKEN IN PREPARATION FOR HIS DEPARTURE FROM ROMANIA. AS WE UNDERSTAND IT, MR. KATZ PAID 40,000 LEI TO CLEAR THE TITLE OF AN APARTMENT OWNED BY HIM. SUBSEQUENTLY HE WAS OBLIGED TO SELL THAT APARTMENT.

2. UNDER ROMANIAN LAW, AND SPECIFICALLY DECREE 223 OF 1974, ROMANIAN CITIZENS APPLYING FOR PERMISSION TO LEAVE ROMANIA PERMANENTLY ARE REQUIRED TO SELL REAL ESTATE OWNED BY THEM. IN POINT OF FACT, THE REAL ESTATE IS TAKEN BY THE ROMANIAN GOVERNMENT. UNDER THE TERMS OF DECREE 223, THE MAXIMUM COMPENSATION FOR URBAN PROPERTIES TAKEN BY THE STATE IS 40,000 LEI. DECREE 223 MAKES NO EXPLICIT REFERENCE TO THE FACT THAT THE PREVIOUS OWNER MUST HAVE CLEARED THE TITLE ON HIS PROPERTY PRIOR TO RECEIVING COMPENSATION FOR PROPERTIES TAKEN BY THE ROMANIAN GOVERNMENT. HOWEVER, IT IS TRUE HERE, AS IT WOULD BE IN THE U.S. THAT A SELLER OF PROPERTY MUST
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HAVE CLEARED TITLE TO THAT PROPERTY, INCLUDING MAKING ARRANGEMENTS FOR THE PAYMENT OF MORTGAGE ON THE PROPERTY PRIOR TO UNDERTAKING A LEGAL SALE OF THAT PROPERTY.

3. MR. KATZ, WHO AT THE TIME OF THE VARIOUS TRANSACTIONS CONCERNING THE APARTMENT WAS A ROMANIAN NATIONAL, THUS DOES NOT APPEAR TO HAVE A VALID CLAIM FOR RETURN OF THE 40,000

LEI PAID TO CLEAR UP HIS MORTGAGE. EVEN SUPPOSING MR. KATZ
HAD BEEN AN AMERICAN CITIZEN AT THE TIME THE TRANSACTION
TOOK PLACE, IT WOULD BE MOST DIFFICULT FOR THE EMBASSY TO
INTERVENE ON HIS BEHALF TO RELIEVE HIM OF THE RESPONSIBILITY
FOR PAYMENT OF HIS MORTGAGE, SINCE THE OBLIGATIONS OF A
MORTGAGE HOLDER ARE THE SAME HERE AS AT HOME.
AGGREY

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